IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 12TH JUNE 2007 / 22ND JYAISHTA 1929

WP(C).No. 9251 of 2004(B)

CMA.37/2003 of ADDL.SESSN.COURT (ADHOC-II)KASARAGODE

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PETITIONERS:

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1. CHERIPPADY KUNHIKANNAN NAIR, S/O. KODOTH MADHAVAN NAIR, ATTENGANAM, P.O.ATTENGANAM, HOSDURG, KASARAGOD DISTRICT.

2. CHERIPPADY GIRIJA AMMA, D/O. LATE KODOTH KUNHIKANNAN NAIR, KIZHAKKINKARA, P.O.AJANUR, HOSDURG, KASARAGOD DISTRICT

BY ADV. SRI.D.KRISHNA PRASAD
SRI.D.NARENDRANATH
SRI.M.HARISHARMA
SRI.T.P.ELDHOSE

RESPONDENTS:

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1. UDMA UDAYA MANGALA SRI MAHAVISHNU KSHETHRA BHARANA SAMITHI, REPRESENTED BY ITS SECRETARY, POST UDMA, HOSDURG, KASARAGOD DISTRICT

2. CHERIPPADY KUNHIKRISHNAN NAIR, S/O. CHERIPPADY KALLANI AMMA, "SUDHARMA", P.O.NILESHWAR, HOSDURG, KASARAGOD DISTRICT

3. CHERIPPADY KANNANKUTTY NAIR, S/O. LATE KODOTH SUKUMARAN NAIR, NANUKUDAI, P.O. KOTTODY, HOSDURG, KASARAGOD DISTRICT

ADDL. 4. K.KAMAKSHI AMMA, W/O. LATE KUNHIKRISHNAN NAIR, 'SUDHARMA', PERALA, POST NILESHWAR, KASARAGOD DISTRICT.

ADDL. 5. K.A. KANNAN NAMBIAR, S/O.LATE KUNHIKRISHNAN NAIR, BANK OFFICER, CORPORATION BANK, THALASSERRY, KANNUR DISTRICT.

ADDL. 6. K.A. DHANALAKSHMY,
D/O. LATE KUNHIKRISHNAN NAIR,
'SUDHARMA', PERALA,
POST NILESHWAR, KASARAGOD DISTRICT

ADDL. 7. SUPRABHA, D/O. LATE KUNHIKANNAN NAIR,
'SUDHARMA', PERALA,
POST NILESWAR, KASARAGOD DISTRICT.
(ADDL. R4 TO R7 ARE IMPLEADED AS PER ORDER DT.12.06.07 IN IA NO.9398 OF 2005)

BY ADV. SRI.L.GOPALAKRISHNAN POTTI
SRI.B.KRISHNAN
SRI.R.PARTHASARATHY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC : 9251 OF 2004

APPENDIX

PETITIONERS' EXHIBITS:

EXT.P1 : TRUE COPY OF JUDGMENT DT.5.12.02 IN OS NO.71/01 OF THE MUNSIFF'S COURT, KASARAGOD.

EXT.P2 : TRUE COPY OF ORDER DT.17.3.03 IN IA NOS.2559 OF 2002 AND 2560 OF 2002 IN OS NO.71 OF 2001 OF THE MUNSIFF'S COURT, KASARAGOD.

EXT.P3 : TRUE COPY OF JUDGMENT DT.29.7.03 IN CMA NO. 37 OF 2003 OF THE DISTRICT COURT(AD HOC) ii, KASARAGOD.

PIUS C. KURIAKOSE, J.

W.P.(C) No. 9251 OF 2004
and
IA No. 9398 of 2005

Dated this the 12th day of June, 2007

JUDGMENT

IA No.9398 of 2005 will stand allowed. Respondents in the IA are impleaded as additional respondents 4 to 7. Registry will carry out corrections in the cause title. It is submitted by Sri.L.Gopalakrishnan Potti, counsel for the respondent that the matter has become infructuous, since the issue has been compromised between the parties. But counsel for the petitioner, Sri.D.Krishna Prasad, submits that he does not have any information regarding the same. However, accepting the submission of the respondent, the Writ Petition will stand closed.

PIUS C. KURIAKOSE, JUDGE

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